

Docket No. JBP 430USCIP1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Miri Seiberg et al. Docket No. JBP0430USCIP1

Serial No. : 10/659,598 Art Unit: 1618

Filed : September 10, 2003 Examiner: Shirley V. Gembach

For : **METHODS FOR TREATING SKIN CONDITIONS**

DECLARATION OF MIRI SEIBERG, PH.D.

I, Miri Seiberg, am a Distinguished Research Fellow in the Skin Research Center at Johnson & Johnson Consumer Companies, Inc. My education includes a Ph.D. in Molecular Biology from The Weizmann Institute of Science, Rehovot, Israel, in collaboration with Princeton University, Princeton, NJ and a B. S. in Life Sciences from Tel-Aviv University, Tel-Aviv, Israel.

1. I have performed a literature search relating to "soy protein powder". I uncovered no publication that referred to this term outside the context of nutritional materials that are ingested. Nutritional materials that are ingested cannot contain soybean trypsin inhibitor as soybean trypsin inhibitor causes severe digestive problems in mammals and humans that ingest such materials. I conclude that one of ordinary skill in the art as of the time the invention claimed in the above-captioned patent application was made would have interpreted the term "soy protein powder" to refer to nutritional, ingestible products that would not have contained soybean trypsin inhibitor.

2. I attach hereto abstracts of publications that I uncovered during my search that refer to soy powder or soy flour as materials that may be ingested by mammals (See Exhibit A, attached hereto).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by

fine or imprisonment, or both, under Section 1001 of title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

MIRI SEIBERG, PH.D.

DATE

3/23/10